

**Board of Selectmen
Town of East Windsor
11 Rye Street
East Windsor, CT**

MINUTES OF REGULAR MEETING, October 5, 2010 at 7:00 p.m.

These minutes are not official until approved at a subsequent meeting.

Members Present: Denise Menard, Mark Simmons, John L. Burnham, Gilbert Hayes,
and Richard P. Pippin, Jr.
Members Absent: None
Others: Kathleen Pippin, Jason Bowsza, Len Norton, Eric Moffett,
Caroline Madore, Joanne Slater, Samantha Lee, Elizabeth Burns,
Richard Covill, Jim Richards, Lori Gabriel, and others
Press: K. Loucks (Journal Inquirer)

I. Call to Order

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:01 p.m., in the East Windsor Town Hall.

II. Attendance

Denise Menard, First Selectman
Mark Simmons, Deputy Selectman
John L. Burnham, Selectman
Gilbert Hayes, Selectman
Richard P. Pippin, Jr., Selectman

III. Approval of Minutes

Minutes of September 21, 2010 Regular Meeting

An error was noted in the September 21, 2010 Regular Meeting Minutes. An amendment to the minutes in Section VI, Subparagraph c, Paragraph 1 is noted. The following is the noted amendment:

“He did a drive along with a police officer...”

to

“Cliff Nelson did a drive along with a police officer...”

An error was noted in the September 21, 2010 Regular Meeting Minutes. An amendment to the minutes in Section VIII, Subparagraph b, Paragraph 1 is noted. The following is the noted amendment:

“...in which a **trial**...”

to

“...in which a **trail**...”

An error was noted in the September 21, 2010 Regular Meeting Minutes. An amendment to the minutes on Section XI, Paragraph 4 is noted. The following is the noted amendment:

“It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (3-1)(In favor – G. Hayes, M. Simmons, and **M. Simmons**; Opposed - R. Pippin) that the Board of Selectmen approves the Settlement Agreement for Herb Holden Trucking, Inc. vs. Town of East Windsor in accordance with Town Assessor’s recommendation to reduce the fair market value of real property located at 33 Apothecaries Hall Road by 24.24% for the Grand List year of October 1, 2009.”

to

“It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (3-1)(In favor – G. Hayes, M. Simmons, and **J. Burnham**; Opposed - R. Pippin) that the Board of Selectmen approves the Settlement Agreement for Herb Holden Trucking, Inc. vs. Town of East Windsor in accordance with Town Assessor’s recommendation to reduce the fair market value of real property located at 33 Apothecaries Hall Road by 24.24% for the Grand List year of October 1, 2009.”

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the minutes of September 21, 2010 Regular Meeting, as amended.

IV. Public Participation

Ms. Lori Gabriel, of 74 Miller Road, addressed the Board. She is the Chairwoman of the BMX Skate Park Study Committee in East Windsor. She wanted to give the Board of Selectmen an update of what the Committee is presently doing. She indicated fundraising is still a priority at this point. The newest fundraising activity which is being explored is having a rubber duck race down the Scantic River, with help from the Boy Scouts and American River Heritage Commission; the ducks will float approximately 1000 feet. Prizes will be given to the winners of the race, including gift cards. She is proposing the race date of November 6, 2010. However, it was indicated to her the Veteran’s Day Road Race will be held on that date and perhaps November 7, 2010 would be a better date. The donation for a duck is \$10.00.

Mr. Jim Richards, 43B Rockville Road, addressed the Board. Mr. Richards commented that the food bank is in great need of donations. Approximately 240 families a week are coming to the food banks for assistance. He indicated the food bank is not funded by the Town and runs solely on donations. Southern Auto Auction last year gave the biggest donation of \$10,000. Ms. Menard asked Mr. Richards if the canisters to collect

perishable food items will be distributed throughout the town, including the Town Hall. Mr. Richards indicated they would be.

Mr. Craig Wentworth, of 28 Townhouse Road, addressed the Board. He questioned the Board as regards to the letter which was recently sent to Mr. Jack Mannette. He wanted to know if all of the Board Members supported the contents of the letter. Ms. Menard indicated that, normally, the Board does not respond to questions; however, all Board Members were in agreement about the content of the letter sent. Since the letter has been sent, apologies have been given and the problem has been settled.

V. Communications

a. Board of Selectmen, Citizens Hour Forum (October 12, 2010)

Ms. Menard indicated to the Board Members that the Board of Selectmen Citizens Hour Forum will be held on Tuesday, October 12, 2010 at Scout Hall, 28 Abbe Road, East Windsor, Connecticut at 6:00 p.m. to 7:00 p.m. The public is invited to attend.

b. Edward Alibozek, WPCA ESRI Certificate

Ms. Menard indicated she received a memorandum dated September 23, 2010 from E. Arthur Enderle, III, WPCA Superintendent regarding ESRI Learning Pathways Certificate. She summarized the memorandum. On August 23, 2010, Edward Alibozek was awarded a Fundamentals of ArcGIS Desktop Learning Pathway certificate of completion from Environmental Systems Research Institution in Redlands, California. He was able to utilize the knowledge he gained throughout his coursework to develop dynamic maps for use during the North Road Informational Sessions held at the Treatment Plant. Ms. Menard congratulated and thanked Mr. Alibozek for all of his efforts and hard work.

VI. Selectmen's Reports

a. Denise Menard, First Selectwoman

Ms. Menard did not give a report at the meeting.

b. Mark Simmons, Deputy First Selectmen

Mr. Simmons indicated the East Windsor German Club had a golf tournament recently and the champions of that tournament were Mr. John Burnham and Mr. Gilbert Hayes. The tournament raised approximately \$12,000 to be distributed throughout the Town in local charities. Veteran's Road Race Day is scheduled for November 6, 2010. Two hundred and fifty runners are expected. He hopes all can take part and the weather will cooperate.

Mr. Simmons commented on the newspaper *North Central News* which highlights sports news for the Towns of East Windsor, Ellington, Somers, and Enfield. He also commented on that the Parks and Recreation Department has a new online payment system to register and pay for programs.

c. John L. Burnham, Selectmen

Mr. Burnham mentioned the CIP Meeting was postponed and the Zoning Board Appeals had a few items discussed. American Heritage River Commission has a potluck dinner planned for October 16, 2010 after a river ride down the Scantic River. All are invited to attend and are reminded to bring their personal floatation devices, kayaks, and canoes. Mr. Burnham also mentioned the 100 tents event at the Scout Hall, over 200 people camped out. He commented about the walking trail at the middle school. He has recently walked the trail.

d. Gilbert Hayes, Selectmen

Mr. Hayes indicated he attended the Senior Citizen Game Day which was scheduled last week. There were a lot of different games to choose from; however, not many senior citizens were in attendance. He did indicate that this may be due to the time he went, which was before lunchtime. He spoke about visiting the Senior Center in Enfield with Mr. John Burnham last week. He would like to see the East Windsor Senior Center to be as busy and active as the one in Enfield.

Mr. Hayes remarked about how in the last four years, he has been in contact with Connecticut Transit inquiring about a bus service in East Windsor. Presently, the only bus service is the senior bus or dial-a-ride. Those buses do not run seven days a week or late in the evening. He would like to have a bus run seven days a week for residents to use to get around town. He has contacted different apartment complexes within the town to see if there is a need for such a service. Plans to inquire with the Department of Transportation are underway.

e. Richard P. Pippin, Selectmen

Mr. Pippin commented that the CIP meeting was rescheduled and the WPCA met on September 29, two people had questions regarding their sewer user fee which was explained. He mentioned a complaint from some tax payers regarding the chip sealing of the driveway, however, they were told it getting cold now to do the chip sealing and it would have to be done in the spring.

VII. Board and Commission Resignations and Appointments**a. Resignations: None****b. Re-Appointments:****Ethics Commission****Daniel Belisle, (D) to serve a four year term to expire 10/01/2014**

It was **MOVED** (Hayes) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Daniel Belisle, (D) to serve a four year term to expire October 1, 2014.

c. New Appointments: None**d. Board and Commission Current Vacancy List**

The list was given to all the Board Members for their review.

The Board Recessed for a Town Meeting at 7:28 p.m.

The Board Reconvened following the Town Meeting at 8:04 p.m.

VIII. New Business**a. Elizabeth Burns, regarding Increased hours at Senior Center**

Ms. Menard introduced Ms. Elizabeth Burns, Human Services Director at the Senior Citizen Center. She addressed the Board requesting an additional four and one-half hours (4 ½) per week from September 12, 2010 through December 31, 2010 for the part-time clerk at the Senior Center. The cost would be approximately \$1,060.00. The hourly rate is \$14.71. The Senior Center is experiencing a renaissance and to full engage the growth additional clerk support hours are needed.

A lengthy discussion was held among the Board Members and Ms. Burns regarding the additional hours requested and what programs have been added to the Senior Center activities which would increase the part-time clerk's duties. Another concern raised during the discussion was the hiring freeze which was placed upon all departments due to budget constraints.

It was **MOVED** (Hayes) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen authorizes an additional four (4) hours per week up to and including December 31, 2010 for the part-time clerk at the Senior Center.

b. Approval of Lynn Lemieux's Appointment to Assistant Town Clerk and Assistant Registrar of Vital Statistics for a term of 10/6/2010 through December 31, 2010 pursuant to Connecticut General Statutes Section 7-19 and 7-38.

Ms. Menard indicated to the Board that Ms. Lynn Lemieux, who has recently, become the Assistant Town Clerk and Assistant Registrar. Pursuant to the Connecticut General Statutes Section 7-19 and 7-38, she must be approved. Ms. Menard indicated to the Board Members, Ms. Joanne Slater, Town Clerk, is in attendance and would answer any questions which they may have. No questions were asked.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the appointment of Ms. Lynn Lemieux to Assistant Town Clerk and Assistant Registrar of Vital Statistics for a term of October 6, 2010 through December 31, 2010.

c. Samantha Lee, Tax Collector re: Authorizing Resolution for Unclaimed Property/also Update on Collection Enhancements

Ms. Menard introduced to the Board Ms. Samantha Lee, Tax Collector. Ms. Lee commented that on May 4, 2010 Board of Selectmen meeting, the Board motion and approved to authorize Ms. Menard, First Selectwoman to sign any documentation for the State of Connecticut relative to unclaimed property. Subsequently, all information was sent to the State of Connecticut. The State of Connecticut is asking for one more piece of information in the form of a resolution. She requested the resolution, marked as Exhibit A, be approved.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the attached resolution, known and marked as Exhibit A.

Ms. Samantha Lee then gave to each of the Board Members a packet of papers regarding unpaid taxes for real estate, motor vehicle, motor vehicle supplemental, and personal property. Within that packet were sample letters which go to delinquent tax payers and a list of the top 25 delinquent tax payers. The handout was discussed in detail. Ms. Lee also gave an update on tax collections.

A brief discussion was held regarding the unpaid taxes.

d. FFY 2011 Emergency Management Performance Grant Resolution/B. Simpkins

Ms. Menard introduced Mr. Blaine Simpkins, Director of Emergency Management, to the Board. Mr. Simpkins indicated to the Board that every year the Board must authorize the First Selectwoman to execute and deliver any and all documents on behalf of the Town of East Windsor to the State of Connecticut Department of Emergency Management and Homeland Security. This must be done by approving a resolution. A copy of which was given to all Board Members for their review.

A brief discussion was held.

It was **MOVED** (Burnham) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the attached resolution, known and marked as Exhibit B.

It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen agree to move the discussion of Agenda Item IX. Unfinished Business (d) Economic Development Commission Ordinance/Review/Town Meeting and (b) Quarry Brook Open Space before VIII. New Business (e) Approval of Internal Walk to School Day Proclamation.

IX. Unfinished Business

e. Economic Development Commission Ordinance Review

Ms. Menard introduced to the Board Mr. Eric Moffett, Co-Chairman of Economic Development Commission, Mr. Richard Covill, Co-Chairman of the Economic Development Commission, and Mr. Jim Richards, Board Member of Economic Development Commission. They wanted to address the Board in regards to the Economic Development Commission Ordinance. At a Board of Selectmen meeting on August 17, 2010, the draft of the new ordinance was discussed. At that time, it was ascertained the draft of the ordinance would have to be reviewed by the Town Attorney. Since that meeting, the Town Attorney, John F. McKenna, has reviewed same and has made some changes to the wording. The changes were discussed among the Board Members, Mr. Moffett, Mr. Covill, and Mr. Richards.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the ordinance as presented, and recommends same to a Town Meeting.

b. Quarry Brook Open Space

Ms. Menard introduced Mr. Len Norton, Director of Public Works, to discuss the Quarry Brook open space. Ms. Menard remarked she has spoken to Mr. Len Norton regarding maintaining this parcel, which could get costly. He also indicated Ellington requires a bond for maintenance and East Windsor does not. Mr. Norton gave to the Board Members a copy of an ordinance regarding maintenance of storm water drainage detention basins and similar structures. He brought their attention to Page 4 of this ordinance where it indicates the Director of Public Works shall establish an annual cost to perform the periodic maintenance of the facilities.

A discussion was held regarding the Quarry Brook Open Space. It was decided that that bonding would be looked into regarding maintenance and all of the Selectmen would try to go to inspect said site. It will be discussed further at a future meeting.

It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen agree to move the discussion of Agenda Item XI. Executive Session to be heard before VIII. New Business (e) Approval of Internal Walk to School Day Proclamation.

IX. Executive Session Continued (pursuant to Connecticut General Statutes Section 1-200(6) (e) Pending Litigation to include Town Assessor).

It was **MOVED** (Burnham) and **SECONDED** (Simmons) **PASSED** (U) that the Board of Selectmen enters into Executive Session to conduct a hearing and to preserve the confidentiality of records, and that the following be invited to attend the executive session: Ms. Caroline Madore, Town Assessor.

The Board entered into Executive Session at 9:08 p.m.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen terminates Executive Session and continue the Executive Session later in the meeting and enters into Public Session at 9:31 p.m.

It was **MOVED** (Simmons) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the Settlement Agreement for Dharamshi LLC vs. Town of East Windsor in accordance with Town Assessor's recommendation to reduce the fair market value of real property located at 53 Prospect Hill Road by 9.09% for the Grand List year of October 1, 2009.

It was **MOVED** (Pippin) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the Settlement Agreement for Fremont Propsect Hill Road LLC vs. Town of East Windsor in accordance with Town Assessor's recommendation to reduce the fair market value of real property located at 64, 66, and 68 Prospect Hill Road by 13.15% for the Grand List year of October 1, 2009.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen agree to continue with the order of the Agenda Item VIII. New Business (e) Approval of Internal Walk to School Day Proclamation.

e. Approval of International Walk to School Day Proclamation

Ms. Menard indicated October 14, 2010 is the Official International Walk to School Day. It will be a great day for the students and town officials. The students along with town officials, the police department and fire departments, will walk from Board Brook Elementary School to East Windsor Middle School. Ms. Menard remarked the Board of Selectmen will have to authorize Ms. Menard to sign the Proclamation, which she read aloud.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen authorizes Ms. Denise Menard, First Selectwoman to sign the Official International Walk to School Day Proclamation.

f. Tax Refunds

Ms. Menard discussed an Application for Refund request from the Tax Collector dated September 29, 2010 wherein Ms. Samantha Lee, Tax Collector is requesting under Connecticut General Statutes Section 12-129 a refund from the Town of East Windsor in the amount of \$1,507.70.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$1,507.70 pursuant to the tax collector's request of September 29, 2010.

X. Unfinished Business

Previously discussed in the meeting.

XI. Budget Matters

Ms. Menard gave a Budget by Department Report to all Board Members for their review.

a. Monthly Budget Transfers

The only transfer discussed was the WPCA Roof Replacement \$25,000 from Contingency Account. This transfer represents payment for the five year plan of the WPCA Roof. A brief discussion was held.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the transfer of \$25,000 to WPCA-Roof Replacement (Account 9947/Line 0912) from Contingency (Account 8410/Line 890), as presented, and recommend to a town meeting if necessary.

b. Request for Added Appropriations for Fuel Oils

Ms. Menard indicated to the Board that the Town has received a prepay invoice on September 13, 2010 for fuel oil and diesel. This agreement was entered into for two years by the previous Superintendent of Schools, Mr. Timothy Howes. The Town is committed to this agreement. The rate in which the fuel oils are being purchased, seem to be good rates compared to the market. The heating oil is at a cost of \$2.23 per gallon and diesel is at \$2.38 per gallon. The cost also includes storage fees and delivery fees.

A discussion was held among the Board Members.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen to request the Board of Finance for an added appropriation of \$38,544.83 for prepayment of diesel fuel for 2010/2011 and to request the Board of Finance for an added appropriation of \$37,455.64 for prepayment of No. 2 heating oil for 2010/2011.

XII. Adjournment

It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen adjourns the October 5, 2010 Regular Meeting at 9:55 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary

EXHIBITA

RESOLUTION

October 5, 2010

Be it resolved to authorize the First Selectmen, Denise Menard, to act on behalf of the Town of East Windsor to sign any documents or statements required by the State of Connecticut to any unclaimed property as motioned and approved at the May 4, 2010 Board of Selectmen meeting.

I hereby certify the foregoing to be a true copy of the Board of Selectmen resolution of October 5, 2010. Dated this _____day of October, 2010.

Attest: _____
Joanne M. Slater, Town Clerk

EXHIBIT B

**Authorizing Resolution of the
Board of Selectmen**

RESOLVED: that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Denise Menard, as First Selectmen of the Town of East Windsor is authorized and directed to execute and deliver any and all documents on behalf of the Town of East Windsor and to do and perform all acts and things which she deems necessary or appropriate to carry out the terms of such documents.